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4 Attorney for Defendants
GERALD ARMSTRONG and THE
5 GERALD ARMSTRONG CORPORATION
6
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FILED

AUG 17 1994

HOWARD HANSON
MARIN COUNTY CLERK
COURT HARDING DEPT

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AUG 18 1994

HUB LAW OFFICES

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF MARIN

10 CHURCH OF SCIENTOLOGY INTERNATIONAL,))
a California not-for-profit))
11 religious corporation,))
12 Plaintiff,))
13 vs.))
14 GERALD ARMSTRONG; MICHAEL WALTON;))
THE GERALD ARMSTRONG CORPORATION,))
15 a California for-profit))
corporation; DOES 1 through 100,))
16 inclusive,))
17 Defendants.))
18

No. 157 680

DECLARATION OF FORD GREENE
IN SUPPORT OF MOTION TO
COMPEL FURTHER RESPONSES
TO FORM INTERROGATORIES
AND FOR MONETARY SANCTIONS

Date: 9/2/94
Time: 10:00 a.m.
Dept: Referee Benz
Trial Date: 9/29/94

19 FORD GREENE declares:

- 20 1. I am an attorney licensed to practice law in the Courts
21 of the State of California and am the attorney of record for
22 Gerald Armstrong, defendant and Cross-Complainant herein.
23 2. On March 4, 1994, I caused to be served on plaintiff
24 Church of Scientology International Defendant Gerald Armstrong's
25 Form Interrogatories.
26 3. On or about April 8, 1994, plaintiff served its
27 responses thereto. Certain of said responses contain objections,
28 or are otherwise incomplete, evasive or inadequate as set forth in

1 the Separate Statement of Form Interrogatories and Responses in
2 Dispute, served and filed herewith. Thereafter, I met and
3 conferred with counsel in consequence of which supplemental
4 responses were provided. Said supplemental responses provided
5 little, if any, additional information.

6 4. Plaintiff should be ordered to more fully respond to
7 each of said interrogatories because the information sought
8 thereby is relevant to the subject matter of this action, is not
9 privileged or otherwise exempt from discovery, and for the reasons
10 stated in said Separate Statement of Form Interrogatories and
11 Responses in Dispute, as well as in the accompanying memorandum of
12 points and authorities and the papers filed in support of the
13 companion motion to compel further responses to Armstrong's First
14 Set of Requests for Admissions.

15 5. I am informed that each of the objections and responses
16 was prepared for plaintiff by its attorneys, Laurie J. Bartilson
17 of Bowles and Moxon, and by Andrew Wilson of Wilson, Ryan and
18 Campolongo, and that each of said objections and/or responses was
19 made upon the advice of said attorneys.

20 6. Plaintiff's refusal to respond to said Form
21 Interrogatories and the advice of the aforesaid attorneys was
22 without substantial justification because each interrogatory is
23 relevant to the subject matter of this lawsuit.

24 7. Prior to the filing of the motion to compel further
25 responses, I made an attempt to resolve with Laurie J. Bartilson
26 the disputed issues arising from the objections by writing her a
27 letter which I faxed to her on May 27th to which I attached the
28 substance of the Separate Statement of Form Interrogatories and

1 Responses in Dispute. Thereafter, I faxed her another letter on
2 May 31, 1994 wherein I advised her that if I did not hear from her
3 I would have to file the instant motion. Then, I telephoned Ms.
4 Bartilson and because she was not available, I left a detailed
5 message with her secretary to call me.

6 8. As a result of the refusal to answer, defendant has
7 incurred and will incur reasonable costs and attorneys fees in
8 connection with this motion and the hearing thereon which will be
9 totaled in a subsequent declaration.

10 Under penalty of perjury pursuant to the laws of the State of
11 California I hereby declare that the foregoing is true and correct
12 according to my first-hand knowledge, except those matters stated
13 to be on information and belief, and as to those matters, I
14 believe them to be true.

15 Executed on August 17, 1994 at San Anselmo, California

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FORD GREENE